

**REMARKS**

Reconsideration of the application is requested in view of the amendment to the claims and the remarks presented herein.

The claims in the application are claims 10 and 12 to 20, all other claims having been cancelled. Claim 16 has been rewritten in independent form and is now allowable as well as claims 17 to 19 dependent therein.

The specification has been amended to insert the headings as required by the Examiner and claim 11 has been combined with claim 10.

Claims 10 to 15 have been rejected under 35 USC 102 as being anticipated by the Iacopetti et al patent which according to the Examiner teaches an electrolyzer made of two sides, an anode side and a cathode side with the cathode side being not as planar as that of the anode side and with the cathode side being protruding, due to bulges, with respect to the plane defined by the planar areas of a truncated conical projection. When the anode and cathode elements are pressed together, with the membrane and the gaskets between each couple of the anode and cathode elements for form an electrolyzer, the bulges are compressed against the membrane and an anode mesh or screen and are deformed due to their elasticity.

Applicants traverse this ground of rejection as the Iacopetti patent does not anticipate or render obvious Applicants' invention since it fails to disclose a membrane electrolytic cell with

built-in components forming an internal through for increasing the liquid internal level, provided with a first interspace between the through and the membrane, wherein a second interspace is formed between the trough and the chamber ceiling whose highest point is located above the top edge of the membrane. The cell of Iacopetti et al is provided with a built-in component, in the form of an inclined baffle (7), which delimits a trough (8) open at the top, with no second interspace being formed. The subject matter of amended claim 10 is therefore novel.

The technical problem addressed in the specification and solved by the instant invention is keeping the cell compartment filled with liquid also in shut-down conditions, keeping into account that such a situation often derives from unpredictable events suddenly arising during operation, as it is well known to one of skill in the art. In Iacopetti et al, it is disclosed that the stagnation of gas pockets in the cell compartment is prevented by means of peculiar type of recirculation (see col. 4, lines 51-56), which is permitted by the relevant baffle and trough. Nevertheless, it is apparent that in shut-down conditions, such recirculation (which is typically not aided by mechanical means but only relies on the weight differential between a rising and a falling fluid column, see col. 5 lines 8-11) immediately fails. As a consequence, even though the invention of Iacopetti et al, it certainly allows keeping the membrane wet during operation, the problem of keeping the cell compartment filled with liquid to prevent the membrane from being damaged remains unsolved.

The instant invention offers a satisfactory solution to this problem by providing a trough delimited at the top by a second interspace, in a preferred embodiment consisting of an inclined elongated gap as shown in figure 1, whose highest point is located above the edge of the

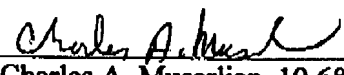
membrane. In this way, the cell compartment may be kept flooded with process electrolyte, wetting the membrane up to the edge even in the absence of recirculation, until either the electrolyte is cooled down and purged of chlorine or the cell operation is restored. The subject matter of amended claim 10 is therefore also inventive and withdrawal of this ground of rejection is requested.

Claim 20 was rejected under 35 USC 103 as being obvious over the Iacopetti et al patent taken in view of Borucinski et al patent. The Examiner concedes Iacopetti et al does not disclose stacking of cells side by side and cites Borucinski as showing cells stacked side by side.

Applicants traverse this ground of rejection since the Iacopetti still suffers the defects as discussed above and Borucinsky in no way relates to the above problems. Therefore, the combination of the references does not teach Applicants' cell and withdrawal of this ground of rejection is requested.

In view of the amendment to the claims and the above remarks, it is believed that the claims point out Applicants' patentable contribution. Therefore, favorable reconsideration of the application is requested.

Respectfully submitted,

  
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Enclosures

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I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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